

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TIMOTHY PEOPLES, JR., H-63933,)	
)	
Plaintiff(s),)	No. C 12-2163 CRB (PR)
)	
v.)	ORDER OF DISMISSAL
)	
E. MATA, et al.,)	
)	
Defendant(s).)	

Per order filed on February 2, 2015, the court granted defendants' motion for summary judgment and dismissal with partial leave to amend. The court specified that plaintiff could amend to allege retaliation claims against defendants Crabtree and Lopez (as well as unserved defendants Mata, Asuncion and Devillar), and against defendant Miller, "within 28 days of this order." Feb. 2, 2015 at 12. Plaintiff also could amend to allege a separate claim of use of excessive force against Crabtree, Lopez, Mata, Asuncion and Devillar, and a separate claim of denial of medical care against Miller. The court warned plaintiff that "[f]ailure to file a proper amended complaint within the designated time will result in the dismissal of this action." Id.

More than 50 days have passed and plaintiff has not filed an amended complaint or sought an extension of time to do so. The action is DISMISSED.

The clerk shall enter judgment in accordance with this order and close the file.

SO ORDERED.

DATED: Mar 25, 2015



CHARLES R. BREYER
United States District Judge